

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

FILED

JUL 2 2024

Heldi D. Campbell, Clerk
U.S. DISTRICT COURT

United States of America

v.

Patrick Nile Starkey

Defendant(s)

Case No. 24-MJ-445-JFJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 8, 2024, June 12, 2024, and July 2, 2024 in the county of Osage in the Northern District of Oklahoma, the defendant(s) violated:

Code Section

26 U.S.C. § 5861(d)

18 U.S.C. § 844(h)(1)

18 U.S.C. § 1705

18 U.S.C. § 922(g)(1)

Offense Description

Receive or Possess National Firearms Act Firearm not Registered in National Firearms Registration and Transfer Record

Using Fire or Explosive to Commit a Federal Felony

Destruction of Letter Boxes or Mail

Possession of a Firearm/Ammunition by Convicted Felon

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.




Complainant's signature

Special Agent Ben Nechiporenko, ATF

Printed name and title

Sworn to before me by phone.

Date: 7/2/24



Judge's signature

City and state: Tulsa, OK

Jodi F. Jayne, United States Magistrate Judge

Printed name and title

**Affidavit in Support of an Arrest Warrant
in the Northern District of Oklahoma**

I, Ben Nechiporenko, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, being duly sworn under oath, do hereby depose and state:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent in Tulsa, Oklahoma since 2022. I am currently assigned to the Dallas Field Division, Tulsa Field Office with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). My duties with A T F include, but are not limited to, the investigation and enforcement of illegal use, possession, and trafficking of firearms, criminal organizations and gangs, arson, and illegal use and possession of explosives.

2. Prior to my tenure as an ATF Special Agent, I was a sworn law enforcement officer employed with the West Fargo Police Department in North Dakota from October 2012 to January 2022. During my employment with the West Fargo Police Department, my primary assignments included: Patrol Officer with the Patrol Division, Detective for the Metro Street Crimes Unit with the Special Investigations Division, Task Force Officer and Team Leader with the U.S. Marshals Service Fugitive Task Force, and Patrol Sergeant with the Patrol Division. My training included over 1,250 hours of Police Officer Standards & Training (POST) approved training hours with an emphasis in gangs and narcotics enforcement. I served nine years with the Army National Guard as a Combat Engineer and received an

Honorable Discharge at the rank of Sergeant. I received a Bachelor of Science Degree in Criminal Justice from North Dakota State University in 2011.

3. As part of my duties as an ATF Special Agent, I investigate criminal violations in the Northern District of Oklahoma and am thus familiar with the same. I know that the following are violations of federal law:

- a. Title 26 U.S.C. §§ 5861(d) – Receive/Possess National Firearms Act Firearm Not Registered in National Firearms Registration and Transfer Record – is violated when an individual receives or possesses a firearm which is not registered to him in the National Firearms Registration and Transfer Record. The term "firearm" includes a destructive device. The term "destructive device" means (1) any explosive, incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than one-quarter ounce, (E) mine, or (F) similar device; (2) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, the barrel or barrels of which have a bore of more than one-half inch in diameter, except a shotgun or shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes; and (3) any combination of parts either designed or intended for use in converting any device into a destructive device as defined in subparagraphs (1) and (2) and from which a destructive device may be readily assembled. The term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 7684(2), 7685, or 7686 of title 10, United States Code; or any other device which the Secretary finds is not likely to be used as a weapon, or is an antique or is a rifle which the owner intends to use solely for sporting purposes. Title 18 U.S.C. § 5845(f).
- b. Title 18 U.S.C. §§ 844(h)(1) - Using Fire or Explosive to Commit a Federal Felony – is violated when an individual uses fire or an explosive to commit any felony which may be prosecuted in a court of the United States. The term "explosive" means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuzes

(other than electric circuit breakers), detonators, and other detonating agents, smokeless powders, other explosive or incendiary devices within the meaning of paragraph (5) of section 232 of this title , and any chemical compounds, mechanical mixture, or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound, mixture, or device or any part thereof may cause an explosion. 18 U.S.C. § 844(j).

- c. Title 18 U.S.C. §§ 1705 – Destruction of Letter Boxes or Mail – is violated when an individual willfully or maliciously injures, tears down or destroys any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route or breaks open the same or willfully or maliciously injures, defaces, or destroys any mail deposited therein.
- d. Title 18 U.S.C. §§ 922(g)(1) – Possession of a Firearm or Ammunition by Convicted Felon – is violated when an individual who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year to ships or transports in foreign commerce, or possesses in or affecting commerce, any firearm or ammunition; or if he receives any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

4. The facts and statements in this Affidavit are based in part on information provided by other law enforcement officers and in part on my personal observations and training and experience as a Special Agent with ATF. This Affidavit is for the limited purpose of establishing probable cause to support a Criminal Complaint, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and the events described in this Affidavit. The statements made in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided to me by other law

enforcement officers; and (c) the training and experience of myself and other law enforcement agents and officers.

5. Based upon the below, there is probable cause to believe that, between June 9, 2024 to July 2, 2024, Patrick Nile STARKEY (DOB XX-XX-1967; SSN XXX-XX-1373) AKA “Rat Tat Tat Pat”, AKA “GR8NBED”, and AKA “Cockhound” violated Title 26 U.S.C. §§ 5861(d) – Receive/Possess National Firearms Act Firearm Not Registered in National Firearms Registration and Transfer Record, Title 18 U.S.C. §§ 844(h)(1) - Using Fire or Explosive to Commit a Federal Felony, Title 18 U.S.C. §§ 1705 – Destruction of Letter Boxes or Mail, and Title 18 U.S.C. §§ 922(g)(1) – Possession of a Firearm/Ammunition by Convicted Felon in the Northern District of Oklahoma. The crimes occurred in Tulsa County, Oklahoma and Osage County, Oklahoma, which are within the Northern District of Oklahoma.

PROBABLE CAUSE

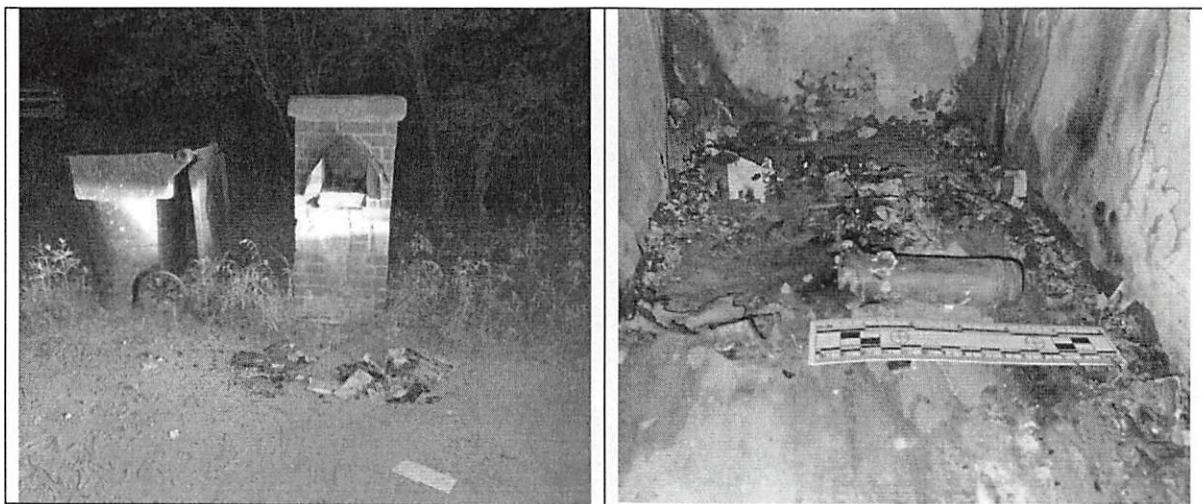
6. On June 12, 2024, at approximately 10:19pm, I received a phone call wherein I learned that the Osage County Sheriff’s Office was investigating a device which exploded in a United States Postal Service mailbox. Resident Agent in Charge (RAC) Thomas Keen and I responded to the address, 6711 North 41st West Avenue, Tulsa, Oklahoma.

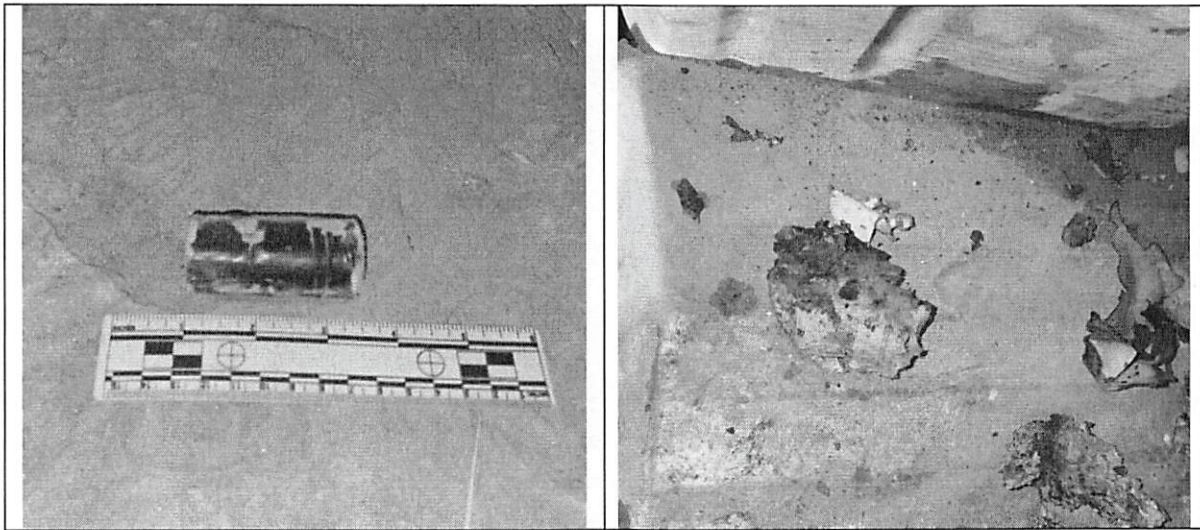
7. According to Osage County Sheriff’s Office report #2024-0557, the owner of the residence, B.A. stated that on June 8, 2024, around 12:30am, a vehicle pulled

into his driveway, and a few minutes later, B.A. heard an explosion. The following morning, B.A. found an exploded device in the driveway.

8. B.A. stated that on June 12, 2024, at approximately 8:47pm, his sister-in-law and neighbor, C.A., called and said she heard an explosion and saw smoke coming out of the mailbox. C.A.'s husband, P.A., heard a loud explosion and observed a small silver passenger car leaving the area.

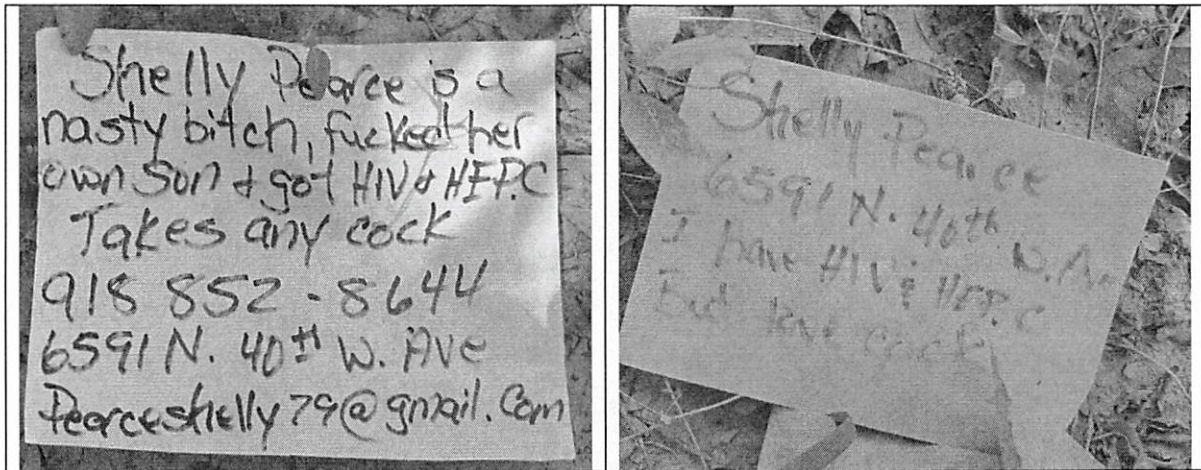
9. On June 12, 2024, at approximately 11:16pm, RAC Keen and I arrived and spoke with Osage County SO Deputies, including Deputy Korey Pettigrew and Chief Deputy Kevin Young. The homeowner, B.A., and neighbor, P.A., were also on scene. I photographed the scene and collected evidence. Debris from an explosive device was located inside the damaged USPS mailbox. Items seized as evidence included a metal pipe with threaded ends, approximately 4" in length, a metal end cap, and a cardboard piece. The device B.A. found on June 8, 2024, was still on the ground and collected. Both the interior of the mailbox and several articles of mail were damaged in the explosion.





10. An initial review of the post-blast debris recovered from the scene suggests that an easy-to assemble improvised explosive device was used, and that it was built out of components I know, based upon my training and experience, to be typically found in a residence or garage. These include small quantities of metal and PVC pipe, a standard flammable fuse, and flammable power generated by smokeless or black powder.

11. On June 13, 2024, I received a call from B.A. who stated that somebody had thrown numerous notes on the ground near his mailbox. RAC Keen and I responded to the scene, and the notes were photographed and collected. All the notes appeared to have similar messages referring to S.P.



12. On June 17, 2024, Special Agent Elaina Estrada located a Facebook account under S.P.'s name; however, it appeared it was likely fictitious and possibly created by somebody who disliked S.P. Her ex-husband was identified as Patrick Nile STARKEY (DOB: 07/14/1967; SSN: 440-74-1373; FBI # 418151EA9). A Facebook account (Account #100064985949618) was found under STARKEY's name which displayed messages similar in content to the notes located on June 14, 2024. S/A Estrada submitted a preservation request to Meta. When searched in Apple Maps, 6591 N. 40th West Ave, Tulsa, Oklahoma shows the location of the explosion incident. B.A. stated due to recent 911 addressing changes, the actual residential address typically does not produce correct results in Apple Maps.



Patrick Starkey is 🤔 feeling determined in Skiatook, OK.

June 13 at 1:42 PM · 🌐

...

It's not like Shelly Pearce, ALL THIS IS TRUE.

Everyone INCLUDING HIV, hep C Shelly Dawn Pearce, 918-852-8644 @ 6591 N. 40th West Ave. Tulsa Oklahoma 74126.

13. B.A. and his family advised that they do not know S.P. and have not interacted with her. Based upon STARKEY's Facebook posts and the notes recovered at the scene, it appeared that, in an effort to target S.P., STARKEY erroneously targeted B.A.'s mailbox based upon the information obtained from Apple Maps.

14. I queried STARKEY in Accurint, an open-source database, for information including possible vehicles. The results included a gray 2002 Honda Civic (OK/ETY237; VIN: 1HGES15552L026865).

15. I searched the Flock Safety license plate reader database for the 2002 Honda Civic (OK/ETY237). The search produced numerous results including a hit on June 12, 2024, at 8:35pm near 5495 North 52nd West Avenue, Tulsa, Oklahoma. According to Google Maps, the location is approximately 3.1 or 3.4 miles, depending on the route, to the scene of the explosion incident.



16. I conducted a query of criminal history convictions for STARKEY and found the following:

a. Tulsa County, OK Case #CF-2018-4927

- Offense: Assault and Battery – Domestic (2nd Offense)
- Sentence: Six (6) Years – Department of Corrections

b. Tula County, OK Case #CF-2018-981

- Offenses: Domestic Assault and Battery with a Dangerous Weapon, Arson – 4th Degree, Domestic Assault with a Dangerous Weapon, Arson – 4th Degree
- Sentence: Four (4) Years – Department of Corrections

17. On June 18, 2024, I emailed photographs of post-blast debris items recovered from the explosive scene to ATF Explosives Enforcement Officer (EEO) Gary Smith. EEO Smith provided a preliminary device determination, pending physical examination, indicating both items appeared to be improvised explosive bombs which are destructive devices defined in 18 U.S.C. 5845(f).

18. On June 18, 2024, I requested a query of the National Firearms Registration and Transfer Record for any items registered with Patrick STARKEY. On June 20, 2024, I received a certified response from ATF Firearms and Explosives Specialist Jesse Huff. The results included the following representation: “I further certify that, after diligent search of the said Record, I found no evidence that the firearm or firearms described below are registered to, or have been acquired by lawful manufacture, importation, or making by, or transfer to PATRICK STARKEY. I further certify that I have custody and control of approved applications to transfer

and register firearms within the purview of Chapter 53, Title 26 U.S.C., and that after a diligent search of such applications I found no approved applications from PATRICK STARKEY to transfer and register said firearms to any person as required by Sections 5811 and 5812, Chapter 53, Title 26 U.S.C.”

19. On June 25, 2024, I queried the Flock Safety license plate reader database for Patrick STARKEY’s 2002 Honda Civic (OK/ETY237). I specifically looked for reads around the time of incidents at 6711 North 41st West Avenue, Tulsa, Oklahoma, including:

- a. June 9, 2024, at approximately 12:30am (First Explosive Incident)
- b. June 12, 2024, at approximately 8:45pm (Second Explosive Incident)
- c. June 13, 2024, between 12:00pm and 2:00pm (Notes Left in Driveway)

20. I observed a license plate read from June 9, 2024, at 12:18am – (36.230754748250845, -96.02205873475232). According to Google Maps, this location is approximately 2.1 miles and/or a four (4) minute drive to the incident location.

21. I observed a license plate read from June 12, 2024, at 8:35pm – (36.23812060796866, -96.055423229869). According to Google Maps, this location is approximately 2.6 miles and/or five (5) minutes, or 3.7 miles and/or six (6) minute drive from the incident address, depending on route of travel.

22. I observed a license plate read from June 13, 2024, at 11:37am – (36.230754748250845, -96.02205873475232). According to Google Maps, this location is approximately 2.1 miles and/or a four (4) minute drive to the incident

location. On June 13, 2024, at 11:55am, the vehicle's license plate was read at (36.22043018823068, -95.99239339590773) which is near 212 East 46th Street North, Tulsa, Oklahoma. The location is 2.4 miles and/or five (5) minutes away from the previous license plate hit.

23. License plate reads for the 2002 Honda Civic (OK/ETY237) near the incident address included the following dates/times:

- a. June 9, 2024 @ 12:18am
- b. June 11, 2024 @ 2:04am
- c. June 11, 2024 @ 2:07pm
- d. June 12, 2024 @ 8:35pm
- e. June 14, 2024 @ 11:37am
- f. June 16, 2024 @ 5:30am
- g. June 16, 2024 @ 6:22pm
- h. June 17, 2024 @ 7:48pm
- i. June 17, 2024 @ 7:58pm
- j. June 18, 2024 @ 1:28pm
- k. June 19, 2024 @ 7:36pm
- l. June 19, 2024 @ 7:47pm

24. During the course of the investigation, I learned that STARKEY resided at 5928 W. 8th Street, Tulsa, Oklahoma 74127. B.A.'s residence is approximately 10.3 miles north of STARKEY's, located in a rural community with no immediate commercial stores surrounding it. Search results for FLOCK Safety license plate

readers show the first “hit” in the area of B.A.’s residence on June 9, 2024, at approximately 12:18am. Several “hits” were recorded following June 9, 2024, and no hits were discovered in the immediate period preceding June 9, 2024.

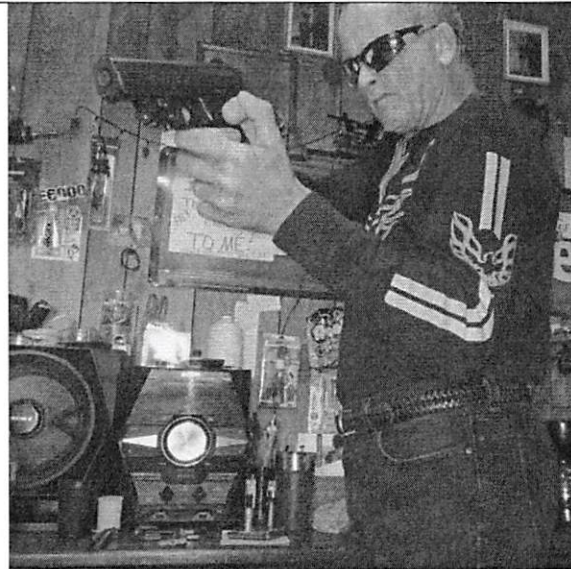
25. On June 25, 2024, I reviewed a public Facebook page (URL: <https://www.facebook.com/GR8NBED69>; Account #100064985949618) for Patrick STARKEY. STARKEY listed his nicknames as “Rat Tat Tat Pat”, “GR8NBED”, and “Cockhound.” Content included references to S.P. Multiple posts were similar to the handwritten notes found in the driveway of the victim’s residence on June 13, 2024.

26. A post from June 13, 2024, at 1:42pm stated, “It’s not like Shelly Pearce, ALL THIS IS TRUE. Everyone INCLUDING HIV, hep C Shelly Dawn Pearce, 918-852-8644 @ 3793 West 70th Pl.N. Tulsa Oklahaoma 74126”. This post appeared to have been edited or altered by Starkey. I previously observed this public post on Starkey's Facebook page; however, at that time the address was “6591 N. 40th West Ave. Tulsa Oklahoma 74126.” When the page was revisited, it contained the new address. Based upon my training and experience, I know that Facebook allows users to modify previous posts with no change in date and time.

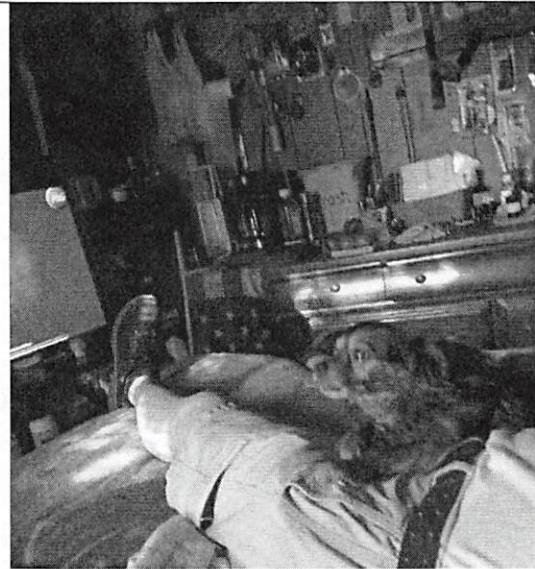
27. A post from May 24, 2024 stated, “Yep, it's true, not only that but I'm afraid she is now HIV+, she knows how just ask Shelly Dawn Pearce, off hwy. 75 and 96th Street, Stop by and while you're at it maybe you can talk some sense into her letting her know the sensible way would be to give me my stuff back and move on.”

28. A post from May 27, 2020, stated, “Wife died”. Another account named, “Paul Pugh” commented, “Did she really die? Did you kill her?”. STARKEY replied, “My wife or soon to be ex, is dead to me after 17yrs of mental abuse, I had enough, if she was on fire, I would not even piss on her to put fire out. Skank”.

29. The profile photograph, posted May 17, 2024, included STARKEY possessing what appeared to be a Hi Point brand firearm. The same photograph was also posted on November 11, 2023. The photograph appeared to have been taken in a bedroom. There were several additional photographs posted which appeared be to from the same room. The photographs were posted from October 9, 2022, to May 25, 2024.



Posted: May 17, 2024

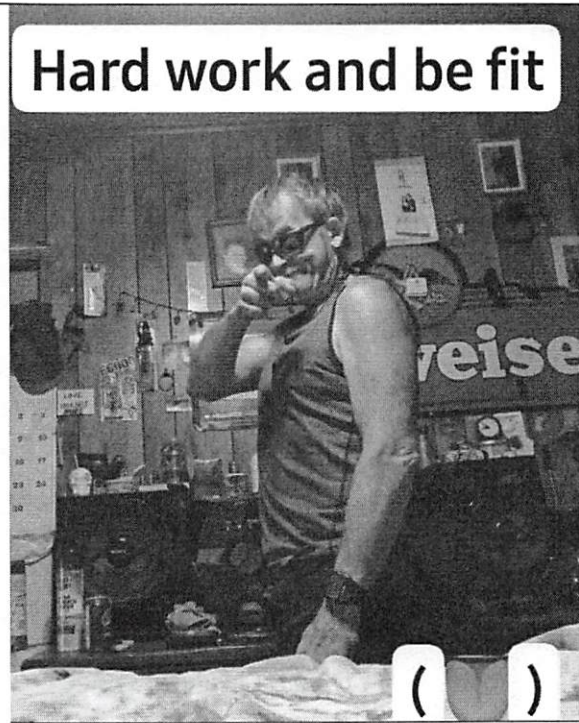


Posted: May 25, 2024

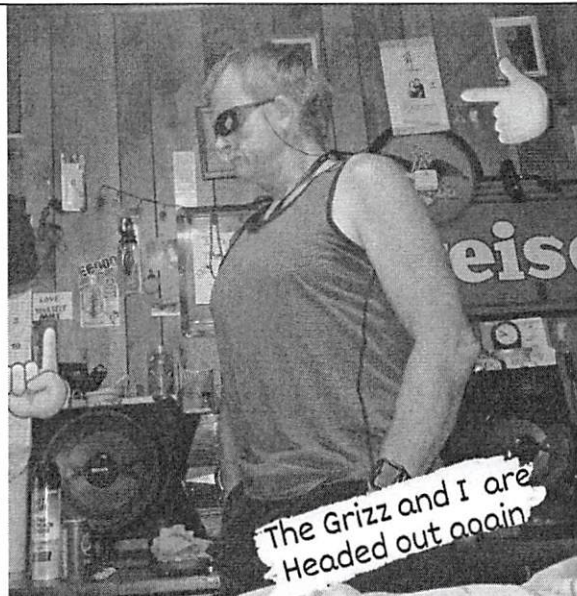
Note: Similar wall paneling and wall décor, including Budweiser sign



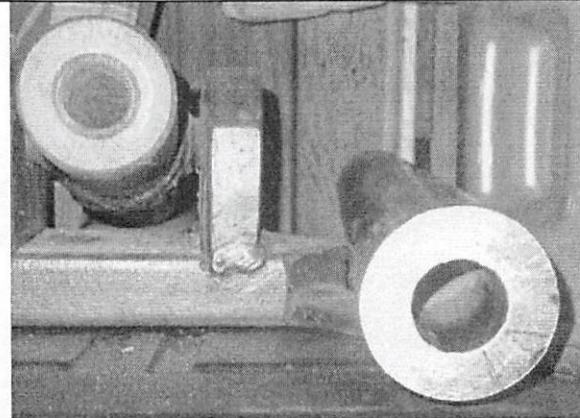
Posted: September 8, 2022



Posted: September 8, 2022

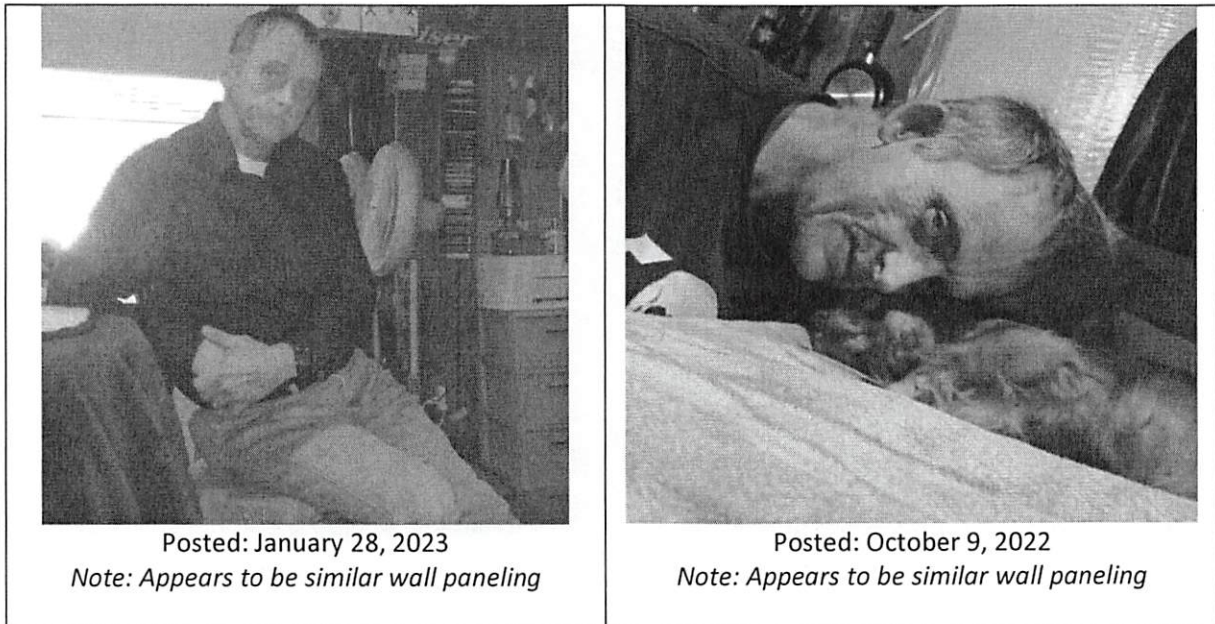


Posted: September 8, 2022



Posted: January 23, 2024

Note: Appears to be similar wall paneling



30. A photograph posted May 28, 2024, included STARKEY standing in front of the 2002 Honda Civic (OK/ETY237).



31. ATF agents conducted surveillance at 5928 West 8th Street, Tulsa, Oklahoma, over the course of several days, beginning on June 18, 2024. The 2002 Honda Civic (OK/ETY237) has been observed at the residence on multiple days. On June 24,

2024, at approximately 7:00pm, RAC Keen observed STARKEY in the front yard, spraying water on the driveway. 5928 West 8th Street, Tulsa, Oklahoma is listed on the Oklahoma vehicle registration for the 2002 Honda Civic (OK/ETY237) as well as STARKEY's Oklahoma driver's license. Oklahoma Human Services Special Agent in Charge Gerald Olson indicated Patrick STARKEY listed 5928 West 8th Street, Tulsa, Oklahoma as his residence.

32. On July 1, 2024, I applied for federal search warrants for Patrick STARKEY's residence located at 5928 West 8th Street, Tulsa, Oklahoma and STARKEY's vehicle, a 2002 Honda Civic (VIN: 1HGES15552L026865). The search warrants (#24-MJ-442-JFJ & #24-MJ-443-JFJ) were issued by United States Magistrate Judge Jodi Jayne in the Northern District of Oklahoma on the same day.

33. On July 2, 2024, at approximately 6:05am, ATF agents, along with law enforcement personnel from Tulsa Police Department, Oklahoma Highway Patrol, and United States Postal Service, executed the search warrants at Starkey's residence. The target vehicle was also parked on the property at that time. Patrick STARKEY was present and the lone occupant of the residence. STARKEY was detained without incident.

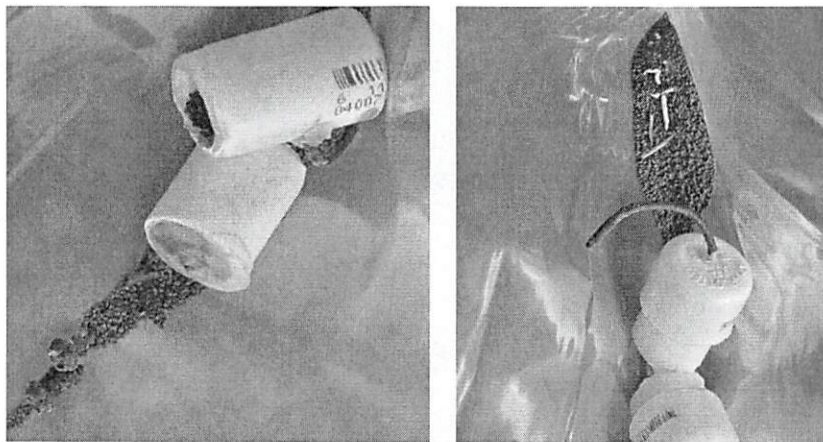
34. A search of the residence resulted in the discovery and seizure of the following items:

- a. Three (3) Explosive Devices – Master Bedroom (Dresser)
- b. Cell Phone – Master Bedroom
- c. Suspected Homemade Cannon – Master Bedroom (Dresser)

- d. Suspected Homemade Cannon – Master Bedroom (TV Stand)
- e. Approximately Forty-One (41) Rounds of .40 S&W Ammunition – Master Bedroom
- f. Three (3) Suspected Explosive Devices – Master Bedroom (Crown Royal Bag)
- g. Two (2) Suspected Explosive Devices – Master Bedroom (Green Crown Royal Bag)

35. I observed a note in STARKEY's bedroom which stated "6591 N 40th West Ave, Tulsa Okla 74126 Ronnie's Place".

36. The suspected explosive devices were rendered safe by members of the Oklahoma Highway Patrol Bomb Squad, including ATF Task Force Officer David Couch, and ATF Certified Explosives Specialist Jon Butler. CES Butler obtained photographs for seven of the eight devices. CES Butler indicated at least two (2) of the devices contained nail pieces and/or screws. The photographs below were obtained after the devices were rendered safe.



37. S/A Holley Edwards, an Interstate Nexus Expert, viewed the .40 S&W ammunition. S/A Edwards stated the ammunition was not manufactured the State of Oklahoma, therefore, had travelled in and affected interstate commerce.

38. Upon completion of the search, I left copies of the two search warrants and a property receipt with STARKEY.

39. On July 2, 2024, I emailed the photographs of the suspected explosive devices pictured above to ATF Explosive Enforcement Officer (EEO) Gary Smith. EEO Smith provided a response indicating, "SA Nechiporenko, the items in these images are consistent with remains of two improvised explosive weapons which have been rendered safe by bomb squad actions. Pending final physical examination and laboratory analysis report, it is my opinion that the items shown in these images would be properly identified as improvised explosive bombs. Explosive bombs are destructive devices as that term is defined in 18 U.S.C. 5845(f) and would be regulated in accordance with the Federal Firearms Regulations."

40. Following execution of the warrants, S/A Estrada and I conducted an interview with STARKEY. After waiving his Miranda rights, STARKEY admitted that he and S.P. were married and are in the process of divorcing. He admitted that he believed S.P. was staying with her brother, Ronnie Jones, somewhere around 46th Street and 70th Place North. He admitted that he placed and detonated two (2) explosive devices in the area of 6591 N. 40th West Ave, Tulsa, Oklahoma, one on the ground in the driveway and one in the mailbox. He admitted, further, that the devices were initiated by using a flammable fuse and that he had manufactured them

at his residence using PVC pipe, cannon fuse, and black powder. STARKEY detonated the devices and then placed the notes about S.P. around the mailbox in an effort to get S.P. to speak with him. While STARKEY admitted to possessing the firearm observed in his Facebook post, he advised that it, and the ammunition, belonged to a former roommate and that the picture was taken in Turley, Oklahoma. STARKEY conceded that he was previously incarcerated for two (2) years following a felony domestic assault conviction.

CONCLUSION

Based on the information set forth in this affidavit, I submit there is probable cause to believe that Patrick STARKEY violated Title 26 U.S.C. §§ 5861(d) – Receive/Possess National Firearms Act Firearm Not Registered in National Firearms Registration and Transfer Record, Title 18 U.S.C. §§ 844(h)(1) - Using Fire or Explosive to Commit a Federal Felony, Title 18 U.S.C. §§ 1705 – Destruction of Letter Boxes or Mail, and Title 18 U.S.C. §§ 922(g)(1) – Possession of a Firearm/Ammunition by Convicted Felon, and request that an arrest warrant be issued for Patrick Nile STARKEY (DOB: 07/14/1967; SSN: 440-74-1373; FBI #418151EA9) AKA “Rat Tat Tat Pat”, AKA “GR8NBED”, and AKA “Cockhound”.

Respectfully submitted,



Ben Nechiporenko
Special Agent
Bureau of Alcohol, Tobacco, Firearms &
Explosives

Subscribed and sworn via phone on the 2nd day of July 2024.



HON. JODI F. JAYNE
UNITED STATES MAGISTRATE JUDGE